

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR 19-40010

Plaintiff,

INDICTMENT (REDACTED)

vs.

Possession of Firearms by Prohibited
Person; Possession of an
Unregistered Firearm

JEFFREY A. COOL,

Defendant.

18 U.S.C. §§ 922(g)(3);
26 U.S.C. §§ 5861(d), 5845(a), and
5871

The Grand Jury charges:

COUNT 1.

On or about September 2, 2018, in the District of South Dakota, Jeffrey A. Cool, then being an unlawful user of and addicted to a controlled substance, did knowingly possess firearms, to wit:

1. Western Auto Supply Company, model Revelation 310AB, 12 gauge pump-action shotgun bearing an obliterated serial number;
2. Smith & Wesson, Model Military & Police "Victory," .38 Special caliber revolver bearing serial number V625824;
3. Cobra Enterprises of Utah Incorporated, model C22, .22 rimfire caliber derringer bearing serial number 088282; and
4. 1,495 rounds of various caliber ammunition,

which had been shipped and transported in interstate commerce, all in violation of 18 U.S.C. § 922(g)(3).

COUNT 2.

On or about September 2, 2018, in the District of South Dakota, Jeffrey A. Cool knowingly possessed a firearm as defined by 26 U.S.C. § 5845(a)(2), namely, a short-barreled shotgun, more particularly described as a Western Auto Supply Company, model Revelation 310AB, 12 gauge pump-action shotgun bearing an obliterated serial number, with a barrel less than 18 inches long, which was not registered to him in the National Firearms Registration and Transfer Record as required by 26 U.S.C. § 5841, in violation of 26 U.S.C. §§ 5861(d), 5845(a), and 5871.

FOFEITURE ALLEGATION

1. The allegations contained in Counts 1 and 2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. Upon conviction of either or both of the offenses set forth in Counts 1 and 2 of this Indictment, the Defendant, Jeffrey A. Cool, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) any firearms and ammunition involved in the commission of the offenses, including, but not limited to, the following:

- a. Western Auto Supply Company, model Revelation 310AB, 12 gauge pump-action shotgun bearing an obliterated serial number;

- b. Smith & Wesson, Model Military & Police "Victory," .38 Special caliber revolver bearing serial number V625824;
- c. Cobra Enterprises of Utah Incorporated, model C22, .22 rimfire caliber derringer bearing serial number 088282;
- d. 1,483 rounds of various caliber ammunition.

3. If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL:

Name Redacted

Foreperson

RONALD A. PARSONS, JR.
United States Attorney

By: 